



CITY OF SANTA BARBARA CITY COUNCIL MINUTES

REGULAR MEETING June 24, 2008 COUNCIL CHAMBER, 735 ANACAPA STREET

CALL TO ORDER

Mayor Marty Blum called the joint meeting of the Council and Redevelopment Agency to order at 2:01 p.m. (The Ordinance Committee met at 12:00 p.m. The Finance Committee, which ordinarily meets at 12:30 p.m., did not meet on this date.)

PLEDGE OF ALLEGIANCE

Mayor Blum.

ROLL CALL

Councilmembers present: Iya G. Falcone, Dale Francisco, Roger L. Horton, Grant House, Helene Schneider, Das Williams, Mayor Blum.

Councilmembers absent: None.

Staff present: City Administrator James L. Armstrong, City Attorney Stephen P. Wiley, Deputy City Clerk Brenda Alcazar.

CEREMONIAL ITEMS

1. Subject: Proclamation Declaring June 28, 2008, As Santa Barbara Diversity Day (120.04)

Action: Proclamation presented to Audrey Addison Williams, Founder, Healing Soul of American.

PUBLIC COMMENT

Speakers: Fred H. Kuhlmann, Bob Hansen, Nancy McCradie, Floyd Meyer, Phil Walker, Gert Walter, David Wass and Bubbha.

ITEM REMOVED FROM CONSENT CALENDAR

3. Subject: Adoption Of Ordinance For Approval Of Veronica Meadows Specific Plan (640.07)

Recommendation: That Council adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Rezoning Certain Property and Adopting a Zoning Code Amendment for the Veronica Meadows Specific Plan Area.

Documents:

June 20, 2008, letter from Marc Chytilo.

The title of the ordinance was read.

Speakers:

Member of the Public: Marc Chytilo.

Motion:

Councilmembers House/Horton to approve the recommendation;
Ordinance No. 5456.

Vote:

Majority roll call vote (Noes: Councilmembers Schneider, Williams).

CONSENT CALENDAR (Item Nos. 2 and 4 - 12)

The title of the resolution related to Item No. 10 was read.

Motion:

Councilmembers Williams/Horton to approve the Consent Calendar as recommended.

Vote:

Unanimous roll call vote.

2. Subject: Minutes

Recommendation: That Council waive the reading and approve the minutes of the special and adjourned regular meetings of June 9, and the regular meeting of June 10, 2008.

Action: Approved the recommendation.

4. Subject: License Agreement Regarding Installation, Use, Maintenance And Removal Of Art On State Street (150.04)

Recommendation: That Council approve and authorize the City Administrator to execute, subject to approval by City Attorney, the License Agreement with the Santa Barbara County Arts Commission Regarding Installation, Use, Maintenance and Removal of Art on State Street.

Action: Approved the recommendation; Agreement No. 22,844 (June 24, 2008, report from the Community Development Director).

5. Subject: Request For Change Order To Engel And Gray Composting Contract For The Pilot Foodscrap Recovery And Composting Program (630.01)

Recommendation: That Council authorize the General Services Manager to modify professional services agreement (Purchase Order No. 376099) with Engel and Gray, for an increase of \$20,000 and a new total amount not to exceed \$42,000.

Speakers:

Staff: Assistant Finance Director Bob Samario.

Action: Approved the recommendation (June 24, 2008, report from the Finance Director).

6. Subject: Acceptance Of Contributions From The Parks And Recreation Community Foundation (570.05)

Recommendation: That Council:

- A. Accept a contribution from the Parks and Recreation Community (PARC) Foundation in the amount of \$14,940 for Parks and Recreation Department programs; and
- B. Increase appropriations and estimated revenues in the Fiscal Year 2008 Parks and Recreation Department Miscellaneous Grants Fund in the amount of \$14,940.

Action: Approved the recommendations (June 24, 2008, report from the Parks and Recreation Director).

7. Subject: Agreement For Paratransit Services With Easy Lift Transportation, Incorporated (510.04)

Recommendation: That Council authorize the Public Works Director to execute an agreement with Easy Lift Transportation, Inc., for paratransit services for elderly and mobility-impaired persons, in an amount not to exceed \$229,416.73, for Fiscal Year 2009.

(Cont'd)

7. (Cont'd)

Speakers:

- Staff: Transportation Manager Browning Allen.
- Easy Lift Transportation, Incorporated: Ernesto Paredes, Executive Director.

Action: Approved the recommendation; Agreement No. 22,845 (June 24, 2008, report from the Public Works Director).

8. Subject: Approval Of Energy Leaders' Pilot Program Participation With Southern California Edison For Fiscal Year 2009 (380.01)

Recommendation: That Council authorize the Public Works Director to approve the City of Santa Barbara's participation in Southern California Edison's Energy Leaders Pilot Program, which will provide monetary incentives to the City for completion of energy efficiency projects in municipal facilities.

Speakers:

Staff: Facilities and Energy Manager Jim Dewey.

Action: Approved the recommendation (June 24, 2008, report from the Public Works Director).

9. Subject: Supplemental Pilot Study And Preliminary Design Of Advanced Treatment Solutions For The Cater Water Treatment Plant (540.10)

Recommendation: That Council authorize the Public Works Director to negotiate and execute a contract with Carollo Engineers (Carollo) in the not-to-exceed amount of \$601,798 for a supplemental pilot study and preliminary design of advanced treatment solutions for the Cater Water Treatment Plant (Cater), and authorize the Public Works Director to approve expenditures up to \$60,000 to cover cost increases that may result from unanticipated changes to the scope of work.

Speaker:

Member of the Public: Phil Walker.

Action: Approved the recommendation; Contract No. 22,846 (June 24, 2008, report from the Public Works Director).

10. Subject: Proposal To Allow Alcohol Consumption At Louise Lowry Davis Center And Santa Barbara Lawn Bowls Club (520.04)

Recommendation: That Council:

- A. Concur with the Park and Recreation Commission recommendation to allow alcohol consumption at the Louise Lowry Davis Center and Santa Barbara Lawn Bowls Club; and
- B. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Permitting the Consumption of Alcohol in Certain City-Owned Public Areas and Repealing Resolution No. 07-002.

Action: Approved the recommendations; Resolution No. 08-057 (June 24, 2008, report from the Parks and Recreation Director; proposed resolution).

Item No. 11 appears in the Redevelopment Agency minutes.

NOTICES

12. The City Clerk has on Thursday, June 19, 2008, posted this agenda in the Office of the City Clerk, on the City Hall Public Notice Board on the outside balcony of City Hall, and on the Internet.

This concluded the Consent Calendar.

REPORT FROM THE ORDINANCE COMMITTEE

Ordinance Committee Chair Das Williams reported that the Committee met to review and discuss proposed zoning ordinance amendments. The draft ordinance, including the Committee's recommended changes, will be forwarded to the Council for introduction and subsequent adoption in a few weeks.

Councilmember House left the meeting at 2:57 p.m.

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS

FINANCE DEPARTMENT

13. Subject: Adoption Of The Operating And Capital Budget For Fiscal Year 2009 (230.05)

Recommendation: That Council adopt, by reading of title only:

- A. A Resolution of the Council of the City of Santa Barbara Adopting the Budget for the Fiscal Year 2009 by Appropriating Moneys for the Use and Support of Said City from the Funds and to the Purposes Herein Specified;

(Cont'd)

13. (Cont'd)

- B. A Resolution of the Council of the City of Santa Barbara Establishing the City's Appropriation Limitation for Fiscal Year 2009;
- C. A Resolution of the Council of the City of Santa Barbara Establishing Certain City Fees Including Water and Wastewater Rates, and Rescinding Resolution Nos. 07-052, 07-085 and 08-013;
- D. A Resolution of the Council of the City of Santa Barbara Authorizing Classified and Unclassified Positions in the City's Service Effective July 1, 2008, and Providing a Schedule of Classifications and Salaries for the Same in Accordance with the Operating Budget for the 2009 Fiscal Year;
- E. A Resolution of the Council of the City of Santa Barbara Authorizing the Continuation of Capital and Special Project Appropriations to Fiscal Year 2009;
- F. A Resolution of the Council of the City of Santa Barbara for Paying and Reporting the Value of Employer-Paid Member Contributions (EPMC) for Regular Miscellaneous Employees Effective June 21, 2008; and
- G. A Resolution of the Council of the City of Santa Barbara for Employer-Paid Member Contributions for Hourly Employees Effective June 21, 2008.

Documents:

- June 24, 2008, report from the Finance Director.
- Proposed Resolutions.

The titles of the resolutions were read.

Speakers:

Staff: Finance Director Robert Peirson.

Councilmember House returned to the meeting at 3:01 p.m.

Motion:

Councilmembers Horton/Schneider to approve the recommendations;
Resolution Nos. 08-058 - 08-064.

Vote:

Unanimous roll call vote.

REDEVELOPMENT AGENCY REPORTS

14. Subject: Redevelopment Agency Operating Budget For Fiscal Year 2009 And Associated Documents (620.01)

Recommendation:

- A. That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Approving a Parking Operations Agreement for Parking Structure No. 2, Parking Structure No. 6, Parking Structure No. 10, Parking Lot No. 11, Parking Lot No. 12, the Granada Garage, the Railroad Station Parking Lots, and the Two Transportation Management Program Employee Parking Lots Between the City of Santa Barbara and the Redevelopment Agency of the City of Santa Barbara for Fiscal Year 2009;
- B. That the Agency Board adopt, by reading of title only, A Resolution of the Redevelopment Agency of the City of Santa Barbara Approving a Parking Operations Agreement for Parking Structure No. 2, Parking Structure No. 6, Parking Structure No. 10, Parking Lot No. 11, Parking Lot No. 12, the Granada Garage, the Railroad Station Parking Lots, and the Two Transportation Management Program Employee Parking Lots Between the Redevelopment Agency of the City of Santa Barbara and the City of Santa Barbara for Fiscal Year 2009; and
- C. That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Approving the Budget of the Redevelopment Agency of the City of Santa Barbara for Fiscal Year 2009.

Documents:

June 24, 2008, report from the Community Development Director/Deputy Director.

The titles of the resolutions were read.

Speakers:

Staff: Assistant Community Development Director/Housing and Redevelopment Manager David Gustafson.

Motion:

Council/Agency Members Horton/Schneider to approve the recommendations; City Council Resolution Nos. 08-065 and 08-066; Redevelopment Agency Resolution No. 1012; City Council Agreement No. 22,847; Redevelopment Agency Agreement No. 511.

Vote:

Unanimous roll call vote.

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS (CONT'D)

COMMUNITY DEVELOPMENT DEPARTMENT

15. Subject: Inclusionary Housing Ordinance Revisions (660.01)

Recommendation: That Council review possible revisions to the City's Inclusionary Housing Ordinance (SBMC Chapter 28.43) as recommended by the Ordinance Committee and refer the revisions back to the Ordinance Committee for drafting.

Documents:

- June 24, 2008, report from the Community Development Director.
- June 23, 2008, e-mail communication from Theresa Gorey.
- June 23, 2008, letter from Steven A. Amerikaner, Brownstein Hyatt Farber Schreck.

Speakers:

Staff: Housing Programs Supervisor Steven Faulstich, City Planner Bettie Weiss.

RECESS

Mayor Blum recessed Agenda Item No. 15 at 3:45 p.m. in order to consider the following item:

MAYOR AND COUNCIL REPORTS

16. Subject: Interview For The Architectural Board Of Review (140.05)

Recommendation: That Council interview applicant for the Architectural Board of Review.

(Estimated Time: 4:00 p.m.)

Documents:

June 24, 2008, report from the Administrative Services Director.

Speakers:

Applicant: Carol Gross.

By consensus, the Council held the interview. Appointment to the Architectural Board of Review is scheduled for July 1, 2008.

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS (CONT'D)

COMMUNITY DEVELOPMENT DEPARTMENT (CONT'D)

15. Subject: Inclusionary Housing Ordinance Revisions (Cont'd)

Speakers (Cont'd):

- Members of the Public: Jerry Bunin, Home Builders Association; Belen Seara, PUEBLO; Mickey Flacks; Debbie Cox Bultan, Coastal Housing Coalition; Steven A. Amerikaner, Brownstein Hyatt Faber Schreck, LLC, representing Westmont College; Doug Jones, Vice President of Finance for Westmont College; Rob Fredericks, Deputy Director, Housing Authority of the City of Santa Barbara; Kellam de Forest; Jeff Bermant, President, Bermant Development Company; Gil Barry, Allied.
- Staff: City Attorney Stephen P. Wiley.

Motion:

Councilmembers Williams/Mayor Blum to approve the Ordinance Committee's recommendations with a revision to the recommendation entitled "Exempt Affordable Units from the Inclusionary Requirement" to exempt employer-sponsored projects as long as those projects are below market value, and direct staff to return to Council in 120 days.

Vote:

Majority voice vote (Noes: Councilmember Francisco).

RECESS

Mayor Blum recessed the meeting at 5:43 p.m. in order for the Council to reconvene in closed session for Agenda Item Nos. 17 and 18. No reportable action is anticipated.

CLOSED SESSIONS

17. Subject: Conference With Legal Counsel - Pending Litigation (160.03)

Recommendation: That Council hold a closed session to consider pending litigation pursuant to subsection (a) of section 54956.9 of the Government Code and take appropriate action as needed. Pending litigation considered is: Jeff Hill v. City of Santa Barbara, WCAB, Case Number Unassigned.

Scheduling: Duration, 10 minutes; anytime

Report: None anticipated

Documents:

June 24, 2008, report from the Finance Director.

Time:

5:46 p.m. - 5:57 p.m.

No settlement approved.

18. Subject: Conference With Legal Counsel – Pending Litigation (160.03)

Recommendation: That Council hold a closed session to consider pending litigation pursuant to subsection (a) of section 54956.9 of the Government Code and take appropriate action as needed. Pending litigation considered is: Ralph Wolfe v. City of Santa Barbara, WCAB, Case Numbers GOL 0100870, 0101114, and Unassigned.

Scheduling: Duration, 10 minutes; anytime

Report: None anticipated

Documents:

June 24, 2008, report from the Finance Department.

Time:

5:57 p.m. – 6:10 p.m.

No settlement approved.

RECESS

6:10 p.m. - 6:17 p.m.

Mayor Blum presiding.

Councilmembers present: Francisco, Horton, House, Schneider, Williams, Mayor Blum.

Councilmembers absent: Councilmember Falcone.

Staff present: City Administrator Armstrong, City Attorney Wiley, Deputy City Clerk Alcazar.

PUBLIC COMMENT

No one wished to speak.

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS

FINANCE DEPARTMENT

19. Subject: Telecommunications Utility Users Tax Ballot Measure (270.06)

Recommendation: That Council provide staff with final direction on the proposed telecommunications utility users tax ballot measure including the draft utility tax ordinance, the proposed tax rate and the proposed ballot language.

Documents:

June 24, 2008, report from the Finance Director.

Councilmember Falcone entered the meeting at 6:25 p.m.

(Cont'd)

19. (Cont'd)

Speakers:

- Staff: Finance Director Robert Peirson, City Attorney Stephen P. Wiley.
- Fairbank, Maslin, Maullin & Associates: John Fairbank.
- Parks and Recreation Commission: Commissioner Beebe Longstreet.

Motion:

Councilmembers House/Horton to proceed with placing the proposed measure on the November 2008 ballot, as recommended, and return to Council on July 1, 2008, with the required resolutions.

Vote:

Unanimous voice vote.

ADJOURNMENT

Mayor Blum adjourned the meeting at 7:27 p.m.

SANTA BARBARA CITY COUNCIL

CYNTHIA M. RODRIGUEZ, CMC
CITY CLERK SERVICES MANAGER

_____	ATTEST: _____
MARTY BLUM MAYOR	BRENDA ALCAZAR, CMC DEPUTY CITY CLERK